



**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

May 21, 2014

6:00 PM

Benton County Administration Building
215 East Central Avenue, Bentonville AR

**Planning
Board
Approval:**

6-4-14

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 PM by Planning Board Chairman Ashley Tucker.

Roll Call: Jim Cole, Starr Leyva, Ken Knight, Rick Williams, Ron Homeyer, Ashley Tucker, Mark Curtis.

Staff present: Administrator of General Services - John Sudduth, Planning Director - Rinkey Singh, Planning Manager - Kevin Gambrill, Senior County Planner - Mike McConnell, County Planner - Taylor Reamer, and Building Official - Glenn Tracy were present.

Justice of the Peace: JP Joel Jones was present.

Public Present: 12 members of the public were present. (See attached sign in sheet for additional information).

Disposition of Minutes: Mr. Curtis moved to approve the May 7, 2014 Planning Board Meeting Minutes. The motion was seconded by Mr. Knight. The motion carried 7-0.

General Public Comment: None

Old Business: None

Mr. Homeyer, Planning Board member, recused himself from the Public Hearing

New Business:

- A. Barnett Site Plan Review, (#14-393), 21153 Hwy 16, Siloam Springs 18-12741-000**
Represented by Ron Homeyer, Civil Engineering Inc., 701 South Mount Olive St., Siloam Springs AR
and Jonathan Barnett, 604 Hickory Lane, Siloam Springs AR

Staff Comment: The owner, Barnett Enterprises, proposes to establish a warehouse facility of 67,950 sq. ft. on undeveloped 7.5 acre pasture land located at 21153 AR Hwy 16, Siloam Springs. The warehouse will be open 6:00am - 5:00pm and will house 1-5 employees. Staff has determined that the proposed 67,950 sq. ft. building will require 132 spaces on-site including 5 accessible ADA compliant parking spaces. The warehouse will be accessed by a driveway from Highway 16. The applicant has been granted permission to construct said drives by the Arkansas Highway and Transportation Department per a driveway access permit dated April 7, 2014. The applicant expects 20-25 trucks per week loading and unloading on-site.

The following items remain outstanding:

1. Applicant is seeking a variance from parking requirement of 32 parking spaces (2 ADA accessible) in lieu of the parking requirements of 132 parking spaces (5 ADA accessible)

Considerations for the Planning Board:

1. Request for Variance Approval
 - A. Applicant is seeking a variance to allow 32 parking spaces (2 ADA accessible) in lieu of the parking requirements of 132 parking spaces (5 ADA accessible)
2. Request for Site Plan Approval
 - A. Standard conditions – Applicant agrees to standard conditions
 - B. Fire flow testing must be performed and meet regulations prior to issuance of building permit
 - C. Storage of batteries and/or propane shall be to the satisfaction of the Fire Marshal

Applicant Comment:

Mr. Homeyer stated that Siloam Springs GIS does not accurately show the water and sewer lines that are in place on the property.

Mr. Homeyer stated the proposed berm heights are based on 6 feet above the finished floor height.

Mr. Homeyer stated the proposed drives have been approved by AHTD and safety report was conducted for the given drives.

Mr. Homeyer stated that conducting fire flow testing prior to building permit would be problematic, the construction plan is to extend a 12 inch waterline to the property and then get AHD approval, prolonging the construction.

Mr. Tucker asked if the fire flow testing after installation was under the Fire Marshal's jurisdiction.

Mr. Tracy confirmed.

Mr. Homeyer stated there is an 8 inch line with a hydrant on site.

Mr. Sudduth stated that a certificate of occupancy will be issued before the building is occupied. The problem the Board may encounter is required fire flow rate not being achieved after the building is in place.

Mr. Tucker asked if the applicant had completed a hydrostatic study.

Mr. Homeyer stated he had done the study, 2000 gpm for the current system on site. This is half of the required demand; this flow rate would serve for fire suppression during construction.

Mr. Tucker asked the Board what information would be required before the issuance of a building permit.

Mr. Curtis stated the hydrant and waterline currently on site would be sufficient for construction stages, the required fire flow data would have to be submitted prior to issuance of certificate of occupancy.

Mr. Tucker asked it would be satisfactory to require approved fire flowing testing prior to issuance of certificate of occupancy, or does the Board wants this data before building permit is issued.

*Mr. Williams stated the current system would cover the construct of the building. The current system provides 2000 gpm which will be the base flow that will be engineered, after the installation of a new line, to meet the required 4000 gpm. The existing system would cover the construction and after the new system is installed the requirement would be met based of balanced engineering.

Mr. Tucker asked if an engineering report supporting the proposed design would satisfy the Board.

Mr. Williams confirmed and before certificate of occupancy is issued the system has to be tested to confirm the system meets the requirements.

Mr. Tucker asked if the applicant had submitted the hydrostatic data to the planning staff.

Mr. Homeyer stated he did not submit.

Mr. Tucker asked if the Board would be satisfied with fire flow data submitted prior to the decision letter and the Fire Marshal be satisfied with the fire suppression system prior to issuance of a certificate of occupancy.

Mr. Cole stated the Board would have the adequate data prior to the C/O being issued.

Mr. Tucker stated that submission of flow data to Planning staff prior to decision letter and submission of design testing to Fire Marshal and Building Division prior to the C/O being issued would satisfy the Board.

Mr. Sudduth stated this procedure is standard practice for Fire Marshal and Building Division.

Mr. Knight asked which waterline the improvements would be connecting to.

Mr. Homeyer stated the improvements would be connected to the east-west 18 inch line to the north of the property.

Mr. Knight asked if this extra line would affect the flow in the surrounding areas.

Mr. Homeyer stated the line being connected to is an 18 inch line, the flow through this line is rarely affected due to the capacity it flows at. The proposed 12 inch line running off the existing 18 inch line would provide necessary flow.

Ms. Leyva asked to see the compatibility table in the regulations.

Mr. Tucker explained this chart shows the compatibility of various land uses with surrounding uses. Light industrial/warehouse facility labeled yellow with low density residential, meaning not incompatible but not immediately compatible. This can be applied to the placement of residential land uses near light industrial. The industrial land uses to the west of the residences would not be immediately compatible with this area of industrial use.

Mr. Knight stated the proposed area of development seems to be more suited for light industrial or commercial uses, due to the proximity to the heavier industrial uses to the west on Wakasha Rd., in Siloam Springs.

Mr. Curtis stated the parent tract of this application does not seem suited for residential development due to the industrial land uses to the west.

Mr. Cole asked if the City of Siloam Springs declined to hear this application.

Mr. Tucker stated the city does not hear Site Plan Review applications under their Extraterritorial Jurisdiction.

Mr. Knight stated the subject property is not maintained very well as of now or in the past, if this area could be developed in a way to create an aesthetically pleasing transitional area from residential to commercial/light industrial the property would be better maintained and create a more compatible area between residential and light industrial.

Mr. Tucker stated that Mr. Knight's comment correlates with the Planning regulations for applicants to incorporate buffers and landscaping into the design to allow for transitional areas.

Mr. Cole stated he agrees with previous comments that the parent tract lends itself more to commercial and light industrial uses.

Public Comment:

Jay Penix, 111 W Emma, Springdale AR, Representing Chuck and Cathy Odegaard.

Mr. Penix stated that the existing Daysprings facility is zoned light industrial and not being in the city limits it cannot be zoned, the county has no zoning.

Mr. Penix stated there is one key issue with this application and it is compatibility. Referring to the compatibility chart, warehouse facilities are labeled as incompatible with light residential and agriculture land use. The loading and unloading area of the proposed facility will ruin the quality of life for his clients; the headlights from trucks will shine directly onto the residences to the south. The standards read that if incompatibility exists the uses are incompatible unless extraordinary mitigation is presented. The level of incompatibility that exists for this application needs to be considered and that the development will fundamentally shift the land use of this area. The subject property is squarely within the ETJ of the city of

Siloam Springs and they have rights to planning matters in this area. The city plans in this ETJ to develop their city in an orderly fashion, the decision by the Board tonight will determine what this orderly fashion will be. The long term land use map for the city of Siloam Springs has this area labeled as open space or agricultural, not industrial. The incompatibility will only get worse as development in this area increases. Dayspring on the east side of Hwy 16 should be considered a commercial use not light industrial, there is no manufacturing or production of product being done at this facility.

Mr. Tucker asked if there were any objection to the development of the hatchery or warehouse to the west of the residential parcels.

Mr. Knight stated the hatchery and warehouse were existing at the time the residences were built.

Mr. Penix stated his client has lived at this house for 5 years; the house is 20 years old.

Mr. Tucker asked when the houses on Carousel Drive were constructed.

Mr. Penix stated most houses are older with newer ones to the east.

Mr. Tucker asked why the industrial uses were not objected, but this proposed industrial use is.

Mr. Penix stated that the industry was already existing there is not mitigating something once it is already developed.

Ms. Leyva stated that the Board should ask each resident why they chose to live with respect to the proximity to the industrial uses to the west of their homes.

Janet Cater, 21117 Hwy 16 E, Siloam Springs AR

Ms. Cater stated the proposed development would ruin the quality of life for the residences to the south. The warehouse is proposed to be within 100 feet of the property line of these residences. Dealing with this crisis has affect the physical and mental health of the residences. Another issue was the value of homes within the vicinity of the warehouse, property values would dramatically decrease if the proposed development was approved. This proposed warehouse is to be located on a two lane road that is already unsafe and would make it only more unsafe. The development and operation of a warehouse adjacent to low density residential is labeled incompatible in the Planning Regulations. Dayspring itself would prefer to have the warehouse facility on the east side of Hwy 16. Residents are asking for the Board to follow the Planning Regulations and ensure a healthy quality of life for the citizens of Benton County.

Ms. Leyva asked how Ms. Cater knows Daysprings would prefer the warehouse to be on the east side of Hwy 16.

Mr. Curtis asked how long Ms. Cater has lived at her home.

Ms. Cater stated 20 years.

Mr. Curtis asked if Dayspring was already constructed when she moved into her home.

Ms. Cater confirmed.

Mr. Curtis asked if the industrial facilities to the west were in place.

Ms. Cater stated some were.

Mr. Knight asked if she had an assessor's statement confirming the dramatic decrease in value if this warehouse were in place.

Ms. Cater stated that she believes it would be difficult or impossible to sell the home with a warehouse facility within 100 feet of her property line.

Valeri Mukha, 21711 Carousel Dr., Siloam Springs

Ms. Mukha stated that she and her family moved to this house because the rural setting and that she lives with her father and mother, Chuck and Cathy Odegaard. The house was purchased in 2009 and she so-owns it with her mother and father as to have the option to watch the house when he parents are out of town. The location of the loading docks would diminish the rural setting of their home and the headlights of the trucks

loading and unloading would shine directly into the windows on that side of the home. She was also concerned about the warehouse being lighted at night and shining onto their property. The traffic situation on Hwy 16 was concerning due to the trucks entering and exiting the highway. She was concerned about the rural setting being destroyed by the development of the warehouse. She stated that the location of the warehouse could be in a more suitable place, not so close to a residential area.

Mr. Tucker asked if any noise pollution comes from the abutting industrial uses to the west.

Ms. Mukha stated that all the truck traffic is from the west and there is a tree line buffer between the residences and the industrial activity.

Mr. Knight stated the traffic will not increase. The same truck traffic will exist since the Dayspring facility on the east side of Hwy 16 already transports product via Hwy 16.

Ms. Mukha stated her concern about the trucks entering and exiting the highway.

Mr. Knight stated the traffic will not change in volume.

Ms. Mukha asked if ownership changed at this warehouse, who would regulate the new owner from increasing truck counts, adding more employees, etc.

Mr. Knight stated the same could happen for the Dayspring facility as well.

Mr. Tucker stated that in the decision letter for this application wordage will be included that states any change of use would need Planning Board approval.

Mr. Knight asked why the loading docks were located on the west side and if the docks were on the north side, would these residences be more accepting of this warehouse.

Mr. Tucker asked if the truck lights were gone and the warehouse was adequately screened would the residences be more accepting of this development.

Dr. David Cater, 21117 Hwy 16 E, Siloam Springs

Mr. Cater stated he owns the lot south of the proposed development. He described his hobby of astronomy, stating he writes an astronomy section in a local journal and that he teaches an astronomy class at John Brown University. He aids and encourages amateur astronomers and his choice of residence was chosen based on the ability to star gaze. Due to the increased light pollution, his property will not be suitable for star gazing. The warehouse located directly to the north of his property would take away the north sky for his hobby. Mr. Cater clarified the hatchery was much smaller before he purchased his home, the residents were never made aware of the expansion, he also clarified that noise pollution does exist from the concrete batch plant and noise can be heard from his property.

Ms. Leyva asked where the light pollution was coming from at the various horizons.

Mr. Cater stated the hatchery to the west and the Dayspring facility were the two main sources of light pollution. Now the north would be polluted by the proposed warehouse.

Ms. Leyva asked if the area north of his property were ever a subdivision, would the subdivision pollute his star gazing.

Mr. Knight asked if Mr. Cater was astronomically blocked by the city to the north.

Mr. Cater stated that the major light pollution was to the west.

Carl Connett, 21109 Hwy 16 E, Siloam Springs

Mr. Connett stated his property is not adjacent to Carousel Drive, but he is a neighbor to the others that have spoken. The traffic situation on Hwy 16 is a dangerous place to add another entrance and exit for large

trucks. Mr. Connett asked the Board to consider the aspect of community that exists south of the proposed warehouse development and that there are better locations far away from residences for this development.

Ron Homeyer, Civil Engineering Inc., 701 South Mount Olive St., Siloam Springs

Mr. Knight asked what the height of the outside wall is proposed to be.

Mr. Homeyer stated the wall height is 29 feet and the peak is 39 feet.

Mr. Homeyer stated that one home is within direct view of the warehouse. From the Odegaard's the tops of the industries to the west can be seen.

Mr. Homeyer stated the proposed locations of the loading bays are only 50 feet closer than the loading bays located at the Simmons hatchery.

Cathy Odegaard, 21711 Carousel Dr., Siloam Springs

Ms. Odegaard stated the hatchery is further from her property than the proposed warehouse. She believes that the warehouse will greatly diminish the quality of life if it were developed due to the proximity to the loading docks and her home.

Mr. Knight asked where most her time was spent outside.

Ms. Odegaard stated her view of to the north would be gone if the warehouse were constructed.

Mr. Knight asked if the loading docks were moved to the north side of the warehouse, would Ms. Odegaard be more accepting of the development.

Ms. Odegaard stated that option would have to be considered.

Viacheslav Mukha, 21711 Carousel Dr., Siloam Springs

Mr. Mukha stated that he agrees with all the previous speakers and asked the Board to not approve this application.

Jonathan Barnett, 604 Hickory Lane, Siloam Springs

Mr. Barnett stated he had part in the development of this particular area of Siloam Springs, including the residential area and Daysprings facility. He stated he had involvement in installation of utilities on Carousel Drive. He stated he has looked into many other locations in Siloam Springs, but this location was much more viable for the development of a light industrial use. He stated the proposed ingress and egress do meet AHTD sight line regulations. Described that this development is a job creator and his investment in this development to create jobs for the area.

Mr. Knight asked why the loading docks are located on the west side of the building.

Mr. Barnett stated that the design layout that Dayspring requires mandates the location of the loading docks, it is an operations matter.

Ron Homeyer, Civil Engineering Inc., 701 South Mount Olive St., Siloam Springs

Mr. Homeyer stated that if the building were to be rotated and keeping in place all buffering the south drive would be too close to the southern property line.

Mr. Knight asked if expanding the property to the north would allow for sufficient space to rotate the warehouse.

Mr. Homeyer stated that it could be done, but with major reconfiguration of the warehouse.

Ms. Leyva asked if truck traffic would continue after hours.

Mr. Homeyer stated that it is Dayspring procedure to direct after hour trucks to the Dayspring facility on east side of Hwy 16.

Chuck Odegaard, 21711 Carousel Dr., Siloam Springs

Mr. Odegaard stated that he has formally appealed the tract split of the subject property. Mr. Odegaard asked why this development was labeled a light industrial/commercial rather than heavy commercial. The labeling of light industrial versus heavy commercial brings up a completely different argument about compatibility. First, the residences to the south do not want this development to ruin the quality of life in the area. Mr. Odegaard described how close the south drive is to the residences abutting the property creating a lower quality of life. This development is going to enact a series of developments on the west side of Hwy 16. In the regulations, it states it is a goal to keep the rural aspect to the county; this development goes directly against these regulations. Mr. Odegaard's stated the traffic issue has been addressed with AHTD. He stated that this development clearly breaks the clustering requirement in the regulations. There is no development for this warehouse to cluster with, the land is agricultural. He described the requirements for loading dock location, loading docks be located as far as from residences as possible. This issue was not addressed at all by the applicant. He stated that the quality of life would diminish with the construction of this warehouse. The berms and landscaping do no justice in mitigating the sight line from his home to the warehouse. Mr. Odegaard stated that the light industrial classification would require larger setbacks, extending the berm, and more intensive landscaping. Landscaping of three tiered planting is required; on the site plan only two are proposed.

Mr. Curtis asked if Mr. Odegaard thought the county should have zoning.

Mr. Odegaard stated he is a proponent of county zoning, but not strong armed county zoning.

JP Joel Jones, District 7, 1 Holcomb Lane, Bella Vista

JP Jones asked what cutoff lighting entails.

Mr. Tucker stated that the light project from the fixture is direct downward; the luminary value at a certain point is zero or approaching zero.

JP Jones asked what the setbacks would be for a light industrial uses, the questionable compatibility.

Mr. Gambrell stated 15-20 feet would be added to the minimum requirement.

JP Jones asked how many feet were between the south property line and the building.

Mr. Homeyer stated 95 feet.

JP Jones asked where the berm is located in relation to the property line and building.

Mr. Homeyer stated 20 feet from the property line.

JP Jones asked what exceptional buffering entails.

Mr. Tucker stated exceptional buffering is completely shielding the development from view. The proposed berms would be considered better than average, because the Board asks applicants to shield headlights from projecting across the property line.

Mr. Knight called point of order, and asked JP Jones if he was representing the Quorum Court.

JP Jones stated he is the Quorum Courts Planning Board liaison.

Ms. Singh stated the minimum requirements for setbacks, 10 foot side yard building setback, 10 foot parking landscape buffer.

Mr. Homeyer stated the parking pavement is over 40 feet from the property line.

JP Jones asked if the southern drive would be used for delivery traffic.

Mr. Homeyer stated the southern drive will only be used for passenger traffic and as a fire lane.

JP Jones asked if it was feasible to rotate the warehouse 90 degrees and keep all the traffic on the north side of the warehouse away from the residences.

Mr. Homeyer stated it would be difficult to accomplish. Rotating the building would also make all operations visible from the highway.

Mr. Tucker asked it was possible to put all truck traffic on the east side facing the highway.

Mr. Homeyer stated it could be done, but the contour of the land lends itself to the proposed orientation, concerning the loading docks.

JP Jones asked if the city of Siloam Springs notifies citizens about expansion projects.

Mr. Homeyer stated that in his experiences developing within the city limits, any property owner within 300 feet of the development will be notified.

Mr. Homeyer clarified that the existing Daysprings facility is classified as a light industrial facility according to The Industry Standards. Similar classification would exist for the proposed warehouse.

Mr. Tucker stated he would classify the existing Daysprings facility would be mixed use.

Mr. Homeyer stated that there has been no professional opinion to support on the speculations about decreasing property value due to this development.

Mr. Tucker asked Mr. Barnett if he had any other plans for development of the parent parcel.

Mr. Barnett stated he currently had no further plans for the site in the immediate future.

Mr. Tucker asked if this is a part of larger development plan.

Mr. Barnett stated he does not have any further plans.

Vote to allow additional time for Mr. Odegard to speak. Board unanimously 6-0 allowing for more time.

Mr. Odegard stated that this location is not suitable for development of a warehouse. Those commercial developments must be weighted against the residential and agricultural uses. The regulations state its purpose to preserve the agricultural aspect of the county. Traffic safety needs to be considered for this site.

Board Comment:

Mr. Knight asked what the city of Siloam Springs plan was for this area.

Mr. Homeyer stated that the city land use map has the subject land is shown as open space.

Ms. Leyva asked what 'open space' was.

Mr. Homeyer stated 'open space' to be undeveloped.

Ben Rhoads, City of Siloam Springs, 400 N Broadway, Siloam Springs

Mr. Rhoads stated the future land use map is a guide, not necessarily the plan for future growth, the future land use map cannot be enforced outside the city limits.

Board Comment:

Ms. Leyva asked if the utility development along Hwy 16 would have been effected if the plan was for residential use on the subject site.

Mr. Homeyer stated that the utility was done by way of grants that take into consideration the amount of jobs created from the utility improvements and future developments from those improvements.

Mr. Tucker asked if a gate could be installed so trucks cannot use the south drive as an exit.

Mr. Homeyer stated it can be done.

Mr. Tucker asked what would prevent additional landscaping and buffer in the green space immediately south of the loading docks to create an additional layer of buffering from the residences.

Mr. Homeyer stated that option is possible if extra fill was not necessary.

Mr. Tucker asked if the area could be planted.

Mr. Homeyer confirmed this could be vegetated.

Mr. Tucker asked what more buffering could be done to further shield the residences.

Mr. Homeyer stated that a berm would further shield, to do this the building would need to be moved further north to provide space for the berm.

Mr. Tucker asked how the berms would be planted.

Mr. Homeyer stated the white pines would vegetate the top of the berm with spruce between pines.

Mr. Knight asked Mr. Barnett why the project could not be moved to the east side of Hwy 16.

Mr. Barnett stated he does not own that property. All the utilities are on the west side of Hwy 16. It is more economical to develop the west side where the utilities are in place.

Vote to approve parking variance from the required 132 parking spaces (5 ADA accessible) to 32 parking spaces (2 ADA accessible).

Mr. Cole stated that he is in support of the parking variance due to the decrease in impervious cover that would be needed for the 132 parking spaces.

Vote to approve parking variance. Mr. Curtis made a motion for approval. Ms. Leyva seconded the motion. The motion carried 6-0.

Board Comments:

Mr. Knight asked if the appeal made by Mr. Odegaard to the Siloam Springs Planning Commission concerning the tract split of the subject property would change the decision made by the Planning Board tonight.

Mr. Tucker stated that the appeal would change the legal description for the property if the tract split approved by Siloam Springs Planning Commission was overturned. If the tract split was overturned, the applicant would have to amend the legal boundary description on the site plan.

Mr. Curtis asked in stipulation 2, b under Considerations for the Board is changed to incorporate submission of fire flow testing.

Mr. Tucker stated that 2, b will be changed to require fire flow testing be submitted prior to issuance of a Certificate of Occupancy and submission of fire suppression design date be subject to a decision letter.

Ms. Leyva asked if a new stipulation was created to require buffer in the green space nearing the loading dock.

Mr. Tucker stated that a motion would need to be made to amend the stipulations.

JP Jones stated that the Board needs to consider the headlights that will be shining in the direction of homes at the southwestern area of the truck turnaround area; the Board needs to consider requiring the applicant to further buffer this area to eliminate the light pollution shining onto the residences to the south.

Mr. Homeyer stated that the berm can be raised in this area.

Mr. Tucker asked about the contour of the land.

Mr. Homeyer stated the property rises to the south and falls to the north. The Odegaard's home is higher than the warehouse.

Ms. Leyva asked if the headlights would shine on the Odegaard's home.

Mr. Tucker stated that an option is to install a fence on the berm to aid in screening the residences.

Recess: Mr. Knight made a motion for 10 minute recess. Mr. Cole seconded the motion. The motion carried 6-0. Ten minute recess was taken at 8:32 pm.

Call to Order: Planning Board Chairmen Ashley Tucker called to order the Public Hearing meeting at 8:41 pm after a 10 minute recess.

Vote to approve Barnett Site Plan Review. Mr. Curtis made a motion for approval. Mr. Cole seconded the motion.

Mr. Cole stated that additional screening be required in the green space area south of the loading docks by way of either landscaping or installation of a fence, also that additional height be added to the southern berm on the west end to further screen the residences from truck headlights.

Vote to amend the site plan to include a fourth stipulation that additional screening and increased height of the berm be another stipulation under the considerations for the Board. Mr. Cole made a motion. Mr. Curtis seconded the motion. Motion carried 5-0. Mr. Knight abstains.

Vote to amend stipulation 2, b to state that submission of fire flow testing be a condition of issuance of Certificate of Occupancy and that fire suppression design data be subject to a decision letter. Mr. Curtis made a motion to amend stipulation 2, b. Mr. Cole seconded the motion. Motion carried 5-0-1. Mr. Knight abstains.

Vote to approve twice amended Barnett Site Plan Review. Mr. Curtis made a motion for approval. Mr. Cole seconded the motion. Motion carried 5-0. Mr. Knight abstains.

**B. Chavez Site Plan Review, (#14-391), 2820-2846 E Kenwood, Siloam Springs 18-12769-002
Represented by Ron Homeyer, Civil Engineering 701 South Mount Olive St., Siloam Springs**

Staff Comment: The applicant, Javier Chavez, proposes to construct 2 duplexes on a 3.33 acre property at the above noted address as shown on the site plan. The applicant plans to build 2 duplexes now. The 4 future units are no longer included on the site plan and the applicant no longer plans to develop beyond the 2 units proposed. Each duplex will be approximately 2200 sq. ft. Currently there is one access drive from Kenwood St. From this drive a new road will be constructed which at final build out will be 146' long. Comments from 911 Administration require this drive to be named and the addresses changed accordingly. The applicant is requesting a 3 foot variance from the setback requirement of 2.2 ft. for the western most unit and 1.66 ft. for the eastern unit. These buildings have already been constructed. The site plan will need to include the parking details for each duplex unit.

On April 23, 2014 the applicant provided a site plan. The following items are outstanding:

1. Landscaping maintenance confirmation
2. Service confirmation- Solid Waste
3. Show on site plan new street name and addresses
4. Show on site plan fire hydrant location

Applicant Comment:

Mr. Homeyer stated that parking is detailed on the site plan.

Ms. Leyva asked where the fire hydrant was detailed on the site plan.

Mr. Homeyer stated that the hydrant is not on the site plan, because he was unsure if it was necessary for this application, the revised site plan will include the hydrant location.

Ms. Singh stated that the off street parking regulation stated that 90 degree parking dimensions are 9 by 19 feet.

Mr. Homeyer confirmed that the driveways need to be 19 feet.

Mr. Tucker stated that the proposed duplexes detail an 18 foot driveway; the driveways will need to be extended to 19 feet.

Mr. Homeyer stated the revised site plan will comply with 19 foot requirement.

Board Comment:

JP Jones stated the clarification for maintenance of the private by the applicant for the drive was required by the Board. The property owner is responsible for the maintenance of the private drive.

Mr. Tucker stated that the plat states the development of a private drive.

Mr. Homeyer stated he will include a statement detailing the maintenance disclosure statement on the revised site plan.

Vote to approve the 3 feet front setback variance. Ms. Leyva made a motion for approval. Mr. Knight seconded the motion. Motion carried 6-0.

Vote to approve Chavez Site Plan Review. Mr. Curtis made a motion for approval. Mr. Williams seconded the motion. Motion carried 6-0.

Public Hearing adjourned at 9:04pm.

TECHNICAL ADVISORY COMMITTEE

Call to Order: 9:05pm

Old Business: None

New Business:

- A. Schweer Variance, 5 Puckett, Rogers 18-00635-000**
Represented by Drew Sneary 8488 Cedar Terrace, Rogers AR

Staff Comment: The applicant is seeking a residential side setback variance for the construction of a garage on the subject property. The applicant is proposing the construction of a 21x39 foot garage north of the existing house. The building will be within in 3 feet of the property line upon completion. The applicant is requesting a 7 foot variance from the required 10 foot side setback requirement.

Applicant Comment:

Board Comment:

Mr. Tucker asked if there was a structure in place on the property line.

Mr. Sneary stated a fence does run along the property line and that is assuming to be the property line.

Mr. Tucker asked where the septic system was located on the property.
Mr. Sneary stated the septic was to the south east of the existing home.
Mr. Tucker stated that the construction of the proposed garage could not be in the area of the septic system.

Mr. Curtis asked if the applicant had notified the surrounding neighbors.
Mr. Sneary confirmed notification letters had been sent out.

Ms. Leyva asked the type of use this garage will be used for.
Mr. Sneary stated boat and vehicle storage.

Mr. Tucker asked what the distance between the proposed garage and the house north of it will be.
Mr. Sneary stated approximately 39 feet.

**B. Siloam Springs Lake Site Plan Review, Dawnhill East Road, Siloam Springs 18-13812-000
Represented by Roy Vestal P.E., City of Siloam Springs 400 N. Broadway, Siloam Springs AR**

Staff Comment: The City of Siloam Springs is proposing a four (4) phase plan to improve upon the existing park amenity space. Phase one (1) involves re-grading several areas along the sites southeast, including; (a) several dredge spoil (sediment) areas; (b) adjacent areas for a proposed Frisbee golf course; and (c) adjacent areas to allow access to a proposed off-road biking trail (east, to north side). Phase two (2) consists of maintaining and restricting access to several earthen protrusions into the lake from the southwestern portion of the site, and, to install a proposed concrete boat launch in this same area. Phase three (3) consists of creation of three parking areas. Two of these parking areas will serve as vehicular access to two proposed picnic areas (south/southwest + northwest) also to be installed with this phase. The third parking area is to serve the proposed Frisbee golf / active recreation area (southeast). Phase four (4) includes the completion of proposed off-road biking trail extending from the east and encircling the northern portion of the lake, bridge crossing over flint creek along eastern perimeter of trail, installation of the Frisbee Golf course. Further, this phase includes an 8 ft. wide paved walking trail connecting the southeastern parking area to a proposed outdoor classroom / wildlife viewing atrium on the south shore of the lake. The atrium would not be enclosed, and is the only planned permanent physical improvement proposed. Site plans submitted show 40 parking spaces (39 standard + 1 ADA) in the southeastern area; immediately to the east of the proposed parking in an additional 40 'future spaces' as needed. This southeast parking area would be a paved / durable surface, and also contain several portable toilets (i.e. no fixed disposal). The south/southwest and northwest parking areas (with picnic areas) will be treated with permeable surfaces (medium sized crushed gravel) to slow stormwater runoff within close proximity to the lake.

The following items remain outstanding:

1. Certified Mail Receipts submitted to Staff
2. Installation of public hearing signage on-site consistent with the Benton County Planning and Development Regulations.
3. Dock constructed along lake must have an Army COE permit (phase 2)
4. ADEQ permit to discharge Stormwater
5. Applicant is required to comply with ADA requirements.

Considerations for the Planning Board

- A. Compliance with ADA parking requirements.
- B. Standard Conditions – that applicant agrees to the standard conditions;
- C. Dock constructed along lake shall have an Army COE permit (phase 2) prior to the issuance of a building permit;
- D. ADEQ permit to discharge Stormwater shall be obtained prior to the issuance of a building permit;

Board Comment:

Mr. Tucker asked if the applicant was going to request a waiver from engineered drawings.
Mr. Vestal stated that the ADEQ NOI that was submitted was just for phase one grading. As the project progresses, the City will apply for further permitting as necessary.

Mr. Vestal stated the plans submitted are the full build out, but as the process proceeds the plans may change from the drawings submitted.

Mr. Tucker stated that engineered drawings will be needed for approval.

Mr. Vestal stated that changes will occur to the current master plan.

Mr. Tucker stated that the Board wants to approve what will be built.

Mr. Vestal stated that if the city needs to come back for approval on each phase that they will do that.

Mr. Tucker stated that one master plan can be approved at one time, for all phases.

Mr. Curtis asked if road improvements would be needed for the access to the park.

Mr. Vestal stated the city's master street plan shows improvements to the area.

Ms. Leyva asked what water source would be used for the site.

Mr. Vestal stated the city of Siloam Springs has a water line down to Dawn Hill road.

Ms. Leyva asked what the water will be used for.

Mr. Vestal stated as the park proceeds a drinking fountain may be constructed, nothing is detailed on the site plan now.

Mr. Tucker stated this application can be submitted as a master plan and revisions be made or as a site plan review with approval for all phases at one time.

Mr. Vestal stated that master plan with revisions would be preferred. The plan will change many times, being able to make revisions as needed, will work better.

Other Business: None

STAFF UPDATES:

A. Administrative Approvals:

- i. Cowgur Minor Subdivision, 12376 Hwy 72 W
 - Tract split of 51.73 acres into 2 parcels
 - 1. Tract 1 – 49.07 acres
 - 2. Tract 2 – 2.20 acres
- ii. Netzel Minor Subdivision, 12670 Readings Rd., Gentry 18-10778-000
 - Tract split of 79.36 acres into 2 parcels
 - 1. Tract 1 – 72.69 acres
 - 2. Tract 2 – 6.67 acres

DISCUSSION ITEMS: None

Meeting Adjourned at 10:00pm

